

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEWAYNE THOMPSON,  
  
Plaintiff,  
  
v.  
  
L. ADDISON, et al.,  
  
Defendants.

Case No. 1:22-cv-01545-HBK (PC)

ORDER GRANTING MOTION FOR  
LEAVE TO FILE FIRST AMENDED  
COMPLAINT, MOOTING MOTION  
AND DIRECTING CLERK TO  
CORRECT CAPTION

(Doc. Nos. 9, 5)

Pending before the Court is Plaintiff's motion seeking leave to file an amended civil rights complaint filed on March 7, 2023. (Doc No. 9). Plaintiff accompanied his motion with a First Amended Complaint. (Doc. No. 10). Because Plaintiff's initial complaint has not been screened nor served, Plaintiff has the right to file an amended complaint "as a matter of course." Fed. R. Civ. P. 15(a)(1). A screening order under 28 U.S.C. § 1915A will issue on Plaintiff's First Amended Complaint. The Court's acceptance of the First Amended Complaint moots Plaintiff's earlier motion to file an appendix and exhibits to his original complaint. (Doc. No. 5).

Accordingly, it is **ORDERED**:

1. Plaintiff's motion for leave to file an amended complaint (Doc. No. 9) is GRANTED.
2. Plaintiff's First Amended Complaint is the operative complaint, and the Clerk shall

correct the caption to reflect the defendants named in Plaintiff's First Amended Complaint (Doc. No. 10).

3. Plaintiff motion for leave to file an appendix and exhibits to his original complaint (Doc. No. 5) is moot.

Dated: April 7, 2023

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE